

# HOUSE . . . . . No. 705

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By Mr. Broadhurst of Methuen, petition of Arthur J. Broadhurst  
relative to legal counsel for indigent persons. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO LEGAL COUNSEL FOR INDIGENT PERSONS.

*Be it enacted by the Senate and House of Representatives in General  
Court assembled, and by the authority of the same, as follows:*

1 Subsection 15 of section 3 of chapter 151B of the General  
2 Laws, as added by section 437 of chapter 26 of the acts of 2003, is  
3 hereby amended by inserting after the words “to retain reasonable  
4 attorney’s fees and costs awarded to a prevailing complainant,  
5 under section 5, when one of its attorneys presents the charge of  
6 discrimination before the commission on behalf of the prevailing  
7 complainant” the following:— provided however, that commis-  
8 sion attorneys shall present the charge of discrimination before the  
9 commission on behalf of a complainant only upon a determination  
10 that the complainant is indigent and unable to afford private  
11 counsel. For purposes of this subsection, the term “indigent” shall  
12 mean, a person who receives public assistance under the Massa-  
13 chusetts Aid to Families with Dependent Children, general relief  
14 or veterans’ benefits programs or receives assistance under  
15 Title XVI of the Social Security Act, or the Medicaid Program, 42  
16 USC 1396 to 1396(n), inclusive, or a person whose income, after  
17 taxes, is one hundred and twenty-five per cent or less of the cur-  
18 rent poverty threshold annually established by the United States  
19 Office of Management and Budget.